

# Office of the Advocate for Children & Young People

Annual Report 1 July 2020 - 30 June 2021



The Hon Matthew Mason-Cox MLC
President
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

The Hon Jonathan O'Dea MP Speaker Legislative Assembly Parliament House Macquarie Street SYDNEY NSW 2000

In accordance with Section 32 of the *Advocate for Children and Young People Act 2014* (the Act) I am pleased to present the Advocate for Children and Young People's Annual Report for 1 July 2020 to 30 June 2021.

The report includes: a description of the Advocate's activities during the year in relation to each of the Advocate's functions; an evaluation of the response of relevant authorities to the recommendations of the Advocate; and any recommendations for changes in the laws of the State, or for administrative action, that the Advocate considers should be made as a result of the exercise of the Advocate's functions.

As provided by Section 35 of the Act, I ask that you now make this report publicly available at the determined time.

Yours sincerely

Rober

Zoë Robinson

Advocate for Children and Young People

26 October 2021



We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

We would also like to acknowledge the important role of Aboriginal people and culture within the NSW community.

The Advocate advises Aboriginal and Torres Strait Islander readers, this report may contain images of people who may have passed away.

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#### Advocate's Foreword



The team at the Office of the Advocate for Children and Young People and I, are proud to present the Annual Report for the year 2020-2021. In a year that was interrupted by COVID and saw children and young people experience new learning environments and face new challenges, our Office continued to serve children and young people and deliver work that reflected their needs and voice.

Our Office had to adapt and adjust to working in new and innovative ways to ensure that children and young people were heard. We did so quickly and we worked within the Public Health Orders. We also took the opportunity to support agencies in their ongoing work to benefit children and young people.

Throughout the reporting period we continued to hear from children and young people on topics that were important to

them. I am thankful to every child and young person who has taken the time to engage with our Office, their dedication to making the world a better place for everyone is admirable.

I also acknowledge the work of the NSW Youth Advisory Council in providing advice to the Minister for Families, Communities and Disability Services and to myself as Advocate.

In this reporting period, we wanted to take the opportunity to work with and serve children and young people that are not always heard and the report focusing on Children and Young People with Disability is exactly that. The team worked hard to ensure that children and young people with disability could participate and we created a consultation process that was inclusive. This work was not only meaningful for individuals, but it was incredibly valuable to our Department of Education colleagues and we continue to work with them around making school and learning environments inclusive and reflective of the needs of children and young people with disability.

The team at ACYP continue to grow and learn, and our central goal is to ensure we serve children and young people and we listen to them at every turn. We seek feedback from children and young people, we respond to their concerns and needs and we invite them to work with us and share with us every day.

I want to thank the team for their work, their endless energy and the ongoing and genuine commitment to the children and young people of NSW. Being appointed as the Advocate for the next five years is not something I take lightly. We are in a time where children and young people are facing new challenges, and we need to ensure that they are central to decisions we make in policy and in community.

I want to thank the Ministers, government agencies and the NGOs who support our work and also service Children and young people. We have worked across government, business and communities who have been incredibly supportive of our work. We know it takes a village, and what an amazing village we have. It starts with the children and young people at the centre, listening to them and engaging with them. From there we can design policy that sees them thrive and achieve their outcomes.

#### **About the Office**

The Office of the Advocate for Children and Young People (ACYP) is established under the *Advocate for Children and Young People Act 2014 (the Act)*. The Advocate is an independent statutory appointment oversighted by the Parliamentary Joint Committee on Children and Young People.



## The work of the Advocate is governed by the following principles, as described in Part 3 Section 14 of the Act:

- a. the safety, welfare and well-being of children and young people are the paramount considerations,
- b. the views of children and young people are to be given serious consideration and taken into account,
- c. a co-operative relationship between children and young people and their families and communities is important for the safety, welfare and well-being of children and young people.



#### The functions of the Advocate as set out in Part 3 Section 15 the Act as:

- a. to advocate for and promote the safety, welfare and wellbeing of children and young people aged 0-24 years,
- to promote the participation of children and young people in the making of decisions that affect their lives and to encourage government and non-government agencies to seek the participation of children and young people appropriate to their age and maturity,
- c. to conduct special inquiries into issues affecting children and young people,
- d. to make recommendations to government and non-government agencies on legislation, reports, policies, practices, procedures and services affecting children and young people,
- e. to conduct, promote and monitor research into issues affecting children and young people,
- f. to promote the provision of information and advice to assist children and young people,
- g. to prepare, in consultation with the Minister, a three year Strategic Plan for Children and Young People in the State.





#### In exercising functions under the Act the Advocate must do the following:

- a. focus on systemic issues affecting children and young people,
- **b.** give priority to the interests and needs of vulnerable and disadvantaged children and young people,
- c. consult with children and young people from a broad range of backgrounds and age groups throughout the State,
- **d.** work co-operatively with other organisations that provide services to or represent the interests of children and young people.

The Act requires the Advocate to prepare an Annual Report to Parliament on the Advocate's activities during that year in relation to each of the Advocate's functions.

## **Appointment of the Advocate**

Following her term as Acting Advocate, on 21 December 2020, the Hon. Bronwyn Taylor MLC, Minister for Mental Health, Regional Youth and Women and the Hon. Gareth Ward, MP, then Minister for Families, Communities and Disability Services announced Ms Zoë Robinson's appointment as the NSW Advocate for Children and Yong People for a five year term.

Then Minister for Families, Communities and Disability Services Gareth Ward said Ms Robinson had "worked hard to elevate the voices of young people throughout her career and would continue to be a strong voice for children and young people in NSW," describing her as a 'champion for children and young people.'

Minister for Mental Health, Regional Youth and Women, Bronwyn Taylor said Ms Robinson had also been "instrumental in representing the views of young people in regional NSW."

Ms Robinson firmly believes that children and young people should be given every opportunity to succeed and set themselves up for success and that they should have the opportunity to choose what that means to them. She believes that all children and young people should be heard, listened to and be central to the work done in government, business and community.

In her tenure as Advocate thus far, Ms Robinson has worked hard to support, listen and advocate for children and young people aged zero to 24 years across NSW with a particular focus on those doing it tough.

In response to her appointment, Ms Robinson was keen to pivot the focus from her appointment to the children and young people she has committed to serve.

"I have the opportunity to learn from the experiences of children and young people every day. I look forward to continuing to bring focus to the issues that are important to children and young people in NSW and ensuring that they have a voice in the decisions that affect them."

Ms Robinson together with the ACYP team have continued to hear from children and young people and produce key pieces of work as outlined in this Annual Report. Promoting the Participation of Children and Young People in the Decisions that Affect their Lives

# Consulting with Children and Young People

In accordance with the Act, a core function of the Advocate's work is 'to promote the participation of children and young people in the making of decisions that affect their lives.' When undertaking this work, the Advocate relies on a variety of methods, including face-to-face consultations, projects, initiatives, competitions, events and training. To complement this qualitative methodology, the Advocate also undertakes periodic attitudinal polling to provide greater quantitative research.

The Advocate's participation work is underpinned by the child rights principles defined in the *United Nations Convention* on the Rights of the Child.

In practice, this means that the Advocate's methodology adopts a child rights approach, with questions and consultations being designed and conducted in such a way to allow the participants to answer openly, which provides them the greatest opportunity to share their views and experiences. These insights are integral to the reports, submissions and projects the Advocate produces.

This reporting period saw a slight shift in the methodology used by the Participation Team. COVID-19 has seen an increasing number of consultations being conducted through online platforms, such as *Bang the*  Table. The nature of some recent projects has also seen a shift from larger group consultations to smaller focus groups or one-on-one interviews with targeted questions, due to the sensitivity of the topic or the unique experiences of participants.

Within this reporting period, the total number of children and young people engaged with in consultations and events, grew to a cumulative total of more than 38,300 children and young people since the establishment of the Office in 2015.

In line with the demographics of NSW, wherever possible, the Advocate endeavours to ensure that at least one-third of their consultations are undertaken with children and young people living in rural and regional NSW.

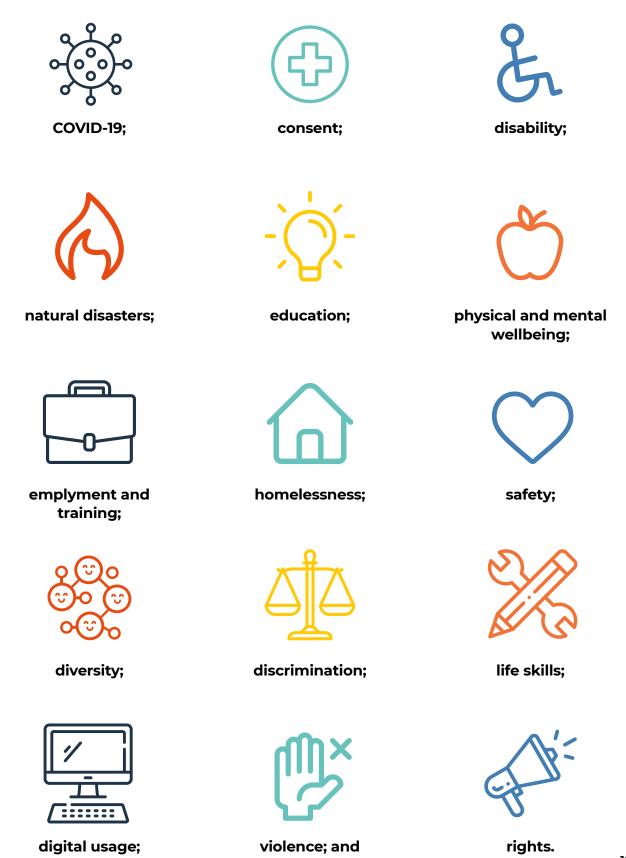


## **Consultations**

Throughout the reporting period, the Advocate worked with government and non-government partners to undertake specific consultations with children and young people across the State. This has included consultations on:



Throughout the reporting period, the Advocate has received feedback from children and young people on a broad variety of topics including;



# Youth Justice Exit

In partnership with Youth Justice NSW, ACYP previously committed to undertake exit interviews with children and young people on legal orders, this work continued within the reporting period.

Throughout October and November 2020 ACYP undertook face-to-face exit interviews with children and young people at several NSW Youth Justice Centres (YJC). Young people from Youth Justice Community Offices were also interviewed. A total of, 44 young men and seven young women participated in an individual interview with ACYP Participation staff. The majority of children and young people interviewed were in custody, 44 in total, with seven young people completing community orders. The age range for these interviews was between 13-20 year olds.

The objective of these consultations was to give children and young people exiting custody an opportunity to have their voices heard and to influence the service delivery system that is available to support them both in custody and in community. The interviews included some broad questions about attitudes and experiences, and some targeted questions relating to services and supports.

It is important to note, this consultation report started with the position held by the former Advocate and current Advocate that no child or young person should be in detention. For this reason, the Advocate supports prevention programs, early intervention programs and diversionary programs and alternatives to detention. In the event that children and young people are incarcerated, it should always be as a last resort in line with our obligations under the *Convention* 

on the Rights of the Child. In these cases, the deprivation of liberty is punishment in itself and Youth Justice Centres must focus on supporting the rehabilitation and reintegration of children and young people back into community.

Overall, young people had positive things to say about their experiences in Youth Justice, with educational programs and professional support services identified as most helpful. Young people praised cultural programs and programs run by external organisations within Youth Justice Centres. Challenges emerged around consistency around routine practices and operations within the Centres relating to admissions, movements, incentive schemes and programs.

The themes raised were consistent with previous rounds of exit interviews. Young people spoke about a lack of access to basic needs such as toiletries, a desire to be treated with dignity and respect, they wanted less time confined in their rooms and to participate in programs that will help them upon release.

From these consultations, ACYP produced a report with recommendations and insights from children and young people which was shared with Youth Justice NSW. Following this, the Advocate met with the Inspector of Custodial Services, Fiona Rafter to discuss the findings of the report.

ACYP continues to work with Youth Justice NSW on a number of initiatives stemming from this report, including the creation of a Participation Framework and an e-learning module on Child Rights to be delivered as part of the mandatory induction for all staff.

#### COVID-19

The continued development of the COVID-19 pandemic had a significant impact on the lives of children and young people both in the immediate and in the longer term. Throughout the reporting period, ACYP used a variety of methods to understand this impact and, where possible, work with Government and non-government stakeholders to alleviate or lessen this impact.

As previously mentioned, the onset of the pandemic also necessitated ACYP shifting some of its consultations to an online platform in line with Public Health Orders.

In September 2020, the Advocate used the platform *Bang the Table* to conduct a consultation with 22 children and young people about how COVID was affecting their everyday lives from schooling, to social activities.

Bang the Table is a digital engagement platform that ACYP utilised to gather feedback and information. The platform offers a wide range of tools and functions designed for on-line consultation process.

The online space provides the opportunity to give more people access to information and enable them to have their say. It drives inclusive, transparent, and measurable community engagement processes that empower collaborative learning, discussion, and debate.

For this project by using a survey and an open online forum discussion, ACYP was able to gather some insights and conduct sentiment analysis of the 12-24 year old age group around COVID-19.

Through this consultation, ACYP was able to source valuable insights from young people that we used to guide and develop further polling and to track the sentiment of 12-24 year old age group around COVID-19.

# Education Legislation Amendment (Parental Rights) Bill 2020

In February 2021, the Advocate was invited to make a submission into the Parliamentary Portfolio No. 3 – Education inquiry into the Education Legislation Amendment (Parental Rights) Bill 2020.

The Advocate conducted four rapid-turn around focus groups and consulted with the NSW Youth Advisory Council with the purpose of hearing what children and young people thought about the amendment. The focus groups were conducted in metropolitan and regional schools, with one of the regional groups drawn from a support group for LGBTQIA+ students. The remaining groups were invited as a class group.

These consultations were undertaken by the Advocate's Participation Team, who have extensive experience in different backgrounds such as psychology, social work and social research. This ensures that facilitation is conducted in a professional, trauma informed manner. Following the consultation, the Participation Team ensured that participants were aware of support services that are available in the local community.

The Advocate recognises that with the smaller sample size, while these views of participants can be taken to reflect the various opinions held by young people across the State, they should not be taken as a statistical representation of how widespread these views are.

Overall, students did not want parents' core values to determine the content of their education at school. They did not feel it was appropriate for students to be taken out of classes and felt that, if anything, children and young people should be the ones to decide if the content of a lesson is inappropriate and to remove themselves if the content causes distress.

All of the young people consulted about the Bill except for one felt that teachers should be able to speak about gender fluidity in schools, and beyond that, that it should be included in the syllabus as an important part of their education. The young person who disagreed felt that it was not a priority for schools and that it was a topic that could be dealt with by parents in the home.

The insights gathered from these consultations was used by the Advocate in their joint submission to the Parliamentary Committee, in conjunction with the NSW Office of the Children's Guardian.

The Advocate was given the opportunity to discuss their submission, alongside the Children's Guardian and representatives from the Department of Education, with the Education Committee at a hearing on 21 April 2021.

#### **Out-of-home Care**

In partnership with the Department of Communities and Justice and NGOs, the Advocate commenced a series of consultations with children and young people who had experience in out-of-home care (OOHC) in April 2021.

The consultations are an opportunity for children and young people to have their voices heard by decision makers and to speak openly about what services and supports they think should be available to young people in OOHC. The consultations will include face-to-face interviews and group discussions. The Advocate is interested in hearing from children and young people from different care arrangements such as Permanency Support Programs (PSP) including Foster Care, Guardianship, Restoration and Adoption (OOHC).

The Advocate has set a target of hearing from 100 children and young people in face-to-face and online interviews or small focus groups. At the end of the reporting period, ACYP had heard from 50 children and young people with a number lined up. However as the COVID-19 situation deteriorated in NSW, the remainder of the project was put on hold.

Consultations and interviews will be completed in the second half of 2021.

# Report Launches

In the reporting period, the Advocate continued to publish a variety of reports informed by consultations, attitudinal surveys and events with children and young people.

Each report included information about the methodology employed for each consultation, the number of participants, the questions asked and detailed findings. From these findings, ACYP has formulated a list of recommendations to government and non-government organisations on programs, policy and service delivery to compliment the recommendations that came directly from children and young people.

When these consultations have been done at the request of organisations or departments, the report is shared with our partner organisations or departments to assist with the creation and improvement of their policies and programs. Where these consultations formed part of the Advocate's wider work, these reports are shared broadly across government and the nongovernment sector.

Following publication, the report is sent to the children and young people who participated in the consultations through the appropriate contact, whether that be their school or community group. This allows the children and young people we worked with to see how their feedback has been used and to give them confidence that their views are being reported to decision makers as is the Advocate's role. The report is also published on the Advocate's website to raise awareness of the issues affecting children and young people and their proposed solutions.

In the months after a consultation report is published, the Advocate continues to work with the organisations and departments to which recommendations have been made to implement the recommendations from children and young people.

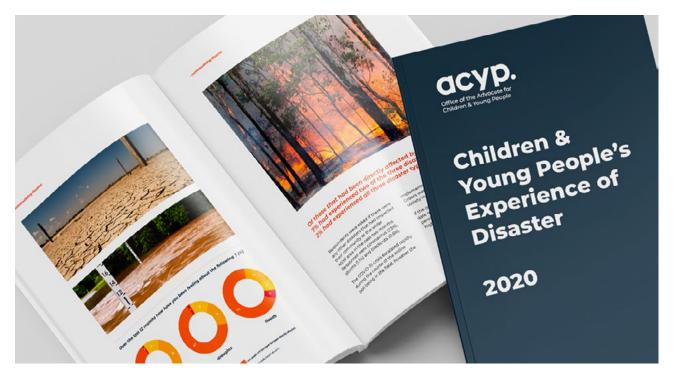


## Children and Young People's Experience of Disaster 2020

When Ms Robinson was appointed Acting Advocate in January 2020, she led the Office with a focus on wanting to hear from children and young people who had been affected by the recent floods, bushfires and drought. This led to the Advocate and members of the ACYP team going to disaster affected areas of NSW and speaking directly to more than 400 children and young people face-to-face about their experiences of disaster. This was followed up with quantitative polling of a further 1,000 children and young people. In conjunction with this, the Advocate also engaged Deloitte Australia to undertake a desktop analysis of previous disasters and the effects on children and young people.

The combined results of this research informed the development of the *Children and Young People's Experience of Disaster Report*, which was released on 17 July 2020.

This report gave children and young people a platform to inform decision makers and service providers about how to best continue to support their needs before, during and after a disaster. The report also highlights the ways in which children and young people want to be included in the planning and implementation of solutions that relate to disaster preparedness and recovery as well as how to further support them now and into the future.



# Some of the key findings in the report include:

disasters and the life changes that follow have significant impacts on mental health and wellbeing;
the destruction and damage caused to schools affects access to education, engagement, learning and academic achievement;
disasters can impact the housing stability of children and young people including damage to homes and farms as well as displacement and relocation;
disasters can create youth unemployment and heavy work- loads for children and young people affected by drought and other social and economic issues;
children and young people can feel invisible, forgotten and unable to influence the world around them, they wish to have a voice and be involved in disaster recovery; and
connection to land and community were raised as important

# The report also includes recommendations from children and young people and ACYP on the following topics:

- Voice;
- Mental health;
- Practical and financial assistance;

concerns.

- Evacuation centres;
- Education;
- Access to infrastructure;
- Community recovery;

- Raising awareness;
- Disaster preparedness and information provision; and
- Activities and programs for children and young people.

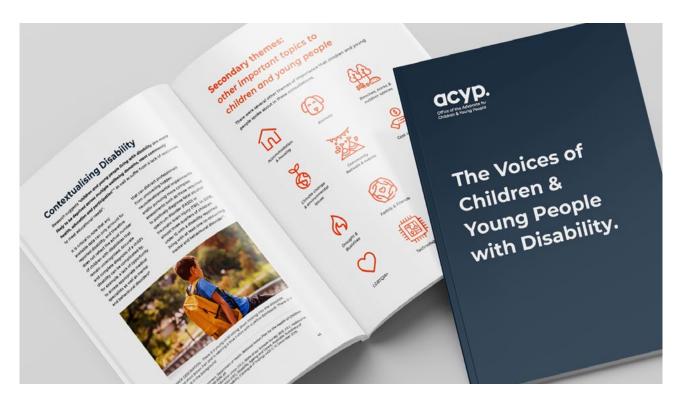
# Voices of Children and Young People with Disability

Following consultations in 2019 and 2020, the Advocate was pleased to release their consultation report *The Voices of Children and Young People with Disability*, on 27 November 2020.

This project represented the first time the Office had specifically sought to speak to children and young people with a disability as an exclusive group.

ACYP led face-to-face consultations with 45 groups of children and young people across 24 organisations and education institutions totalling over 370 children and young people with disabilities throughout metropolitan and regional NSW. These consultations took place over six months spanning 2019 and 2020. The aim of the consultations was to ensure that children and young people with disabilities in NSW had the opportunity to express their voices, opinion and experiences.

Notably, many of the themes nominated by children and young people with disabilities are consistent with those that have come from other ACYP consultations with children and young people across NSW. This suggests that whilst children and young people with disabilities have unique support needs that may require focused attention, their priorities and concerns are common to children and young people throughout the NSW community.



# Some of the key findings of the report were:

Education

the importance of access to learning, support and development opportunities;

Health and the National Disability Insurance Scheme

many participants saw both advantages and challenges associated with access and navigating the health system;

Access and inclusion

the value of being supported to access public buildings, recreation spaces and public transport as well as the importance of having the opportunity to be part of their community and participate in public life;

Voice and participation

the importance of having their opinions valued and respected in decisions affecting them;

**Employment and training** 

the importance of access to vocational training, career pathways, work readiness and income support;

Discrimination and bullying

the impact bullying and discrimination has on the wellbeing of children and young people with disabilities; and

Mental health

the significance of increasing awareness of the importance of mental health supports, particularly for children and young people with complex needs.

# Children and Young People Injury Prevention

In 2018, the former Advocate, Mr Andrew Johnson, convened the NSW Children and Young Person Injury Prevention Working Group (CYPIP).

The members of CYPIP sought to facilitate the reduction of risk, severity and frequency of unintentional injury to children and young people aged 0-24 years in NSW by bringing together a cross section of government, non-government and academic organisations that were already working in this space.

In October 2020, CYPIP released their desktop review, NSW Child and Young Person Unintentional Injury Prevention.

This review was produced to provide a broad overview of existing research and best practice in regards to prevalence and management of unintentional childhood injury prevention within the local and international context, with the focus on identifying priorities and innovations for injury prevention among children and young people in NSW.



# Some of the key findings in the report were:

The injury prevention sector within NSW was well placed with a broad range of expertise dedicated to data collection and best practice innovation;

At the national level, there was a greater focus on the topic with the Federal Government committing to fund a National Childhood Injury Prevention Plan;

Significant gaps in the surveillance system around causes, characteristics and treatment;

Lack of coordination of stakeholders and children and young people around injury prevention infrastructure;

Insufficient funding and resources directed to injury prevention research and service delivery; and

Overrepresentation of certain cohorts and behaviours in injury prevention data collection.

# This report recommended opportunities to address gaps in unintentional injury prevention in NSW through:

- Better, more timely and more detailed data collection;
- Improved multi-sectoral coordination;
- Research informed, targeted campaigns, projects and plans with vulnerable groups;
- Legislative and regulatory consistency across States; and
- Greater funding and resourcing.

# Review of the NSW Strategic Plan for Children and Young People 2016-2019

In accordance with the *Advocate for Children and Young People Act 2014*, the Advocate has the function to 'prepare in consultation with the Minister, a three-year strategic plan for children and young people in the State.'

The former Advocate worked with the children and young people of NSW and then Minister responsible for youth, John Ajaka, on the inaugural *Strategic Plan for Children and Young People 2016-2019*.

At the conclusion of the Plan, the former Advocate committed to undertaking a review into the effectiveness of the Plan.

At the conclusion of the Plan, ACYP conducted a desktop analysis to find publicly available data that measured each indicator. Following this, ACYP identified an individual within each responsible agency and requested they check the available data, add any missing or additional data and make any amendments. We then requested, this information obtain the necessary approvals from the required executive to be made public when the review is published.

Overall, significant and meaningful progress has been made by the NSW Government in supporting the needs and values of children and young people across NSW. Built into the Strategic Plan in 2016, were a series of planned initiatives aligned with the themes of Safe, Connect, Respect, Opportunity, Wellbeing and Voice and 30 indicators determined to measure the progress of the NSW Government against these themes.

The NSW Government has been successful in implementing all of the new initiatives committed to under the Plan. Agencies also noted implementation of 18 additional initiatives related to the wellbeing of children and young people.

Throughout the course of the plan, of the 30 indicators, 23 have been achieved or shown improvement, with a further four indicators showing stable results. There were two indicators that were not achieved. One indicator's timeframe falls outside the duration of the Plan and is not due to be completed until 2025.

This Review was tabled in Parliament in May 2021.

# Guide to Establishing a Children and Young People's Advisory Group

Continuing the work of their Engaging Children and Young People in Your Organisation guide published in 2019, the Advocate released another participation guide, A Guide to Establishing a Children and Young People Advisory Group, on 1 June 2021.

ACYP regularly provides advice to organisations and departments on how to meaningfully and effectively engage children and young people in their policies, practices and service delivery, increasingly this has been through the creation of Youth Advisory Groups.

This guide was written in partnership with 15 organisations and informed by children and young people sharing their views,

experiences and recommendations on how organisations can better engage with them. It is an acknowledgement that initiatives designed with and for children and young people are more likely to be effective.

The guide highlights the value and benefits of embedding children and young people's voice and presents detailed examples, case studies and checklists about how to successfully establish an advisory group.

#### The guide covers areas such as:

- Why we should include children and young people in decision making;
- Determining why you want to establish a children and young people's advisory group;
- Recruitment and selection of members;

- Induction of the group;
- · Practicalities of managing the group;
- Ethical issues:
- Supporting the group;
- · Sustaining the group; and
- Top ten tips.

# Initiatives

## **Digital Lunchbreak**

Following the success of the Digital Lunchbreak in the previous reporting period and the ongoing COVID-19 situation, the Advocate continued to update and maintain Digital Lunchbreak in this reporting period.

Created in 2020 at the outset of the COVID-19 pandemic, Digital Lunchbreak was designed to collate all the activities and resources prepared by government and non-government organisations for children and young people.

The website collates activities to help children and young people learn, create, and discover new experiences and places through digital workshops and virtual excursions. The website also includes helpful information on COVID-19 restrictions and related information, as well as information on support services for mental, physical and practical assistance.

Since the website was launched in 2020, the website has been viewed over 41,000 times.

#### A breakdown of the different categories for 2020 and 2021 are as follows:

- Arts and craft: 2021 page views: 3077, 2020 page views: 709;
- Music and performance: 2021 page views: 1064, 2020 page views: 172;
- Health and wellbeing: 2021 page views: 264, 2020 page views: 1647;
- Education and learning: 2021 page views: 832, 2020 page views: 347;
- Nature and environment: 2021 page views: 932, 2020 page views: 178; and
- Science and history: 2021 page views: 1037, 2020 page views: 141.



## **NSW Through Their Eyes**

Following their popularity in the last reporting period, the Advocate continued to produce the *NSW Through Their Eyes* Series.

Developed in 2020 based on the feedback that children and young people find short videos to be a useful method of receiving information and sharing experiences, *NSW Through Their Eyes* is a series of interviews with adults, children and young people who share their lived experience in the hope to inspire others.

The first video of this reporting period features the Advocate interviewing Mi-kaisha Masella, a 19 year old Darumbal Tongan woman from Sydney. Mi-kaisha is a social justice advocate and a singer-songwriter currently completing her Bachelor of Fine Arts in Recorded Music at New York University. In her video, Mi-kaisha talks about her creative process and how she expresses her connection to culture through music.

The second video in the series featured the Advocate interviewing Meherun Rahman and Liam McGovern. In this video Meherun and Liam discussed how working alongside the Advocate they seek to serve the best interests of children and young people and to improve outcomes for young people across the State.

As the COVID-19 pandemic continued to affect NSW, young people across the State continued to work to support the community. In this third instalment of the NSW Through Their Eyes series, Grace Rowe interviewed three essential workers to explore how COVID-19 has affected and continues to affect their work. This episodes stars; Tom Rea, a primary school teacher, Emma Shugg, a student nurse and Christopher Singh, a Woolworths Store Manager.

In recognition of the International Day of the Girl Child, for the next instalment, the Advocate interviewed The Hon. Bronwyn Taylor MLC, Minister for Mental Health, Regional Youth and Women. Minister Taylor shares how her early childhood shaped the person she is today and her journey from being an Oncology Nurse to NSW Parliament. She explores how her early challenges in politics reinforced her passion for working for the people of NSW and in particular the areas of responsibility her portfolio focuses on.



In celebration of Children's Week 2020, the next video puts the Advocate in the interviewee chair. In this video, three children, Ollie, Max and Ruby, come together to find out more about the Advocate and her vision and work for the children and young people of NSW.

In the next episode, NSW Youth Advisory Council (YAC) chairperson, Julie Charlton interviews Ben Ballard, from the NSW Department of Education Inclusion and Wellbeing Unit. In this interview, Ben shares his journey from childhood to 'the best job in the world' teaching. Ben explores how his experience teaching has given him a passion for improving the lives of children and young people through education.

The seventh iteration of the NSW Through
Their Eyes series saw the Advocate interview
23 year-old Julia Weber, 2020 finalist of Harvey
Norman Young Woman of the Year Award. Julia
is an entrepreneur with a passion for increasing
financial literacy and financial outcomes for
children and young people. To assist in this, she
has developed a financial literacy course that is
delivered in high schools across her region. Julia
also shares how her experiences of bullying as
a young person has developed a commitment
to prevent other young people having the
same experience, using her own experience as
inspiration.

In the final video for 2020, Julia Weber, interviews her fellow awardee, Hannah Beder, 2020 Harvey Norman Young Woman of the Year. Hannah is a software engineer with a passion for addressing gender diversity within the technology industry. Hannah has created a mentorship program for girls and young women who have an interest in STEM careers. Through mentoring them, Hannah equips them with the skills they need to exist in a profession in which they are underrepresented.

The last video for the NSW Through Their Eyes Series features Danny Mayson-Kinder, founder and CEO of flyhighbillie™ being interviewed by the Advocate. Danny founded flyhighbillie™ as a non-profit organisation following the death of her 12 year-old daughter Billie. Inspired to create the charity after learning of her daughter's impact on others, Danny compiled her daughter's poetry and artwork into a book. Coupled with this, she has continued to grow Billie's legacy of kindness in many ways including the b-kinder™ initiative, and through this has created resources which help promote empathy and compassion in school age children. Danny is passionate about empowering children to enable them to see that they each have the capacity to make a difference in the world.

Throughout the duration of the *NSW Through*Their Eyes Series, the videos were viewed a

combined total of 11,593 times on Facebook, 2,812

times on Instagram and 2,605 times on YouTube.

## **NSW Youth Advisory Council - YAC**

The Advocate for Children and Young People Act 2014 establishes the NSW Youth Advisory Council (YAC) of which the Advocate is an ex officio member. The Advocate is also responsible for providing secretariat support to the YAC.

#### Functions of the YAC are outlined in Part 3 Section 22 of the Act:



- (1) The Council has the following functions:
  - (a) to advise the Minister and the Advocate on the planning, development, integration and implementation of government policies and programs concerning young persons,
  - (b) to consult with young persons, community groups and government agencies on issues and policies concerning young persons,
  - (c) to monitor and evaluate legislation and government policies and programs concerning young persons and to recommend changes if required,
  - (d) to conduct forums, approved by the Minister, on issues of interest to young persons,
  - (e) to collect, analyse and provide the Minister and the Advocate with information on issues and policies concerning young persons.
- (2) Any advice given to the Minister by the Council may be given either at the request of the Minister or without any such request.
- (3) The Council must work co-operatively with the Advocate in exercising its functions.
- (4) The Council has such other functions as are conferred or imposed on it by or under this or any other Act.

This 12 member council is integral in advising the Advocate and NSW Government on issues affecting children and young people in their communities. Recruited to represent the diversity of children and young people across the State, membership is open to all children and young people, aged 12 to 24, in NSW.

The Council meets regularly throughout the year, to advise government agencies, departments, ministers and community groups on their work and how the policies, programs, and resources being developed may impact on children and young people. This group presents stakeholders with a unique perspective to gather feedback on the practicalities of a proposal.

Membership of the 2020-2021 Youth Advisory Council, their meeting schedule and details on the programs they were involved with is presented in their annual report, which is available on the Advocate's Website.



Back Row – Dylan Shoesmith, Portia Walker-Fernando, Mohmd Alsomay, Sam Daykin, Campbell Quintrell Middle row – Kupakwashe Matangira, Meera Barani, Tahlia Barwick, Molly Croft

Front row – Julie Charlton, Marvin Smith

12th member (not pictured) – Quinn Harwood

# Recruitment for the 2021-22 Youth Advisory Council

The methodology used for the recruitment of the 2021-22 Youth Advisory Council changed slightly in this reporting period, in part, due to the ongoing COVID-19 situation but also to make the process more thorough. Previously, the recruitment process has had a single stage, this year the Advocate added an additional stage.

Applications were open on 1 February 2021 and ran for a period of six weeks until 14 March 2021. The application process was promoted through the Advocate's website, social media and a variety of newspapers and community radio.

In total, 585 applications were received, each of these being read by both the Advocate and members of the Participation Team. From these 585 applications, the Advocate and Participation Team determined a short list of 150 applicants.

Shortlisted applicants were invited via email to take part in the stage one online recruitment events.

An online information session was held 13 April 2021 in which shortlisted applicants were addressed by the then Minister for Families, Communities and Disability Services, The Hon. Gareth Ward MP, the Advocate and current members of the Youth Advisory Council. During the session the applicants were given an insight into:

- The work of the Advocate;
- Role and responsibility of the NSW Youth Advisory Council;
- · The work and highlights for the current NSW Youth Advisory Council; and
- Live Q&A session with the Advocate for Children and Young people and the chair of the 2020-21 NSW Youth Advisory Council.

Online group activity sessions were held across two days on 14 and 15 April 2021, with 70 or 75 young people allocated to each day, based on age, to aid the selection process.

Participants were asked their views on consultation questions provided by various NSW Government departments, prior to the event. These departments included:

- Department of Education;
- Transport for NSW;
- Department Planning, Industry and Environment;
- Department of Premier and Cabinet;
- NSW Treasury;
- Department of Customer Service; and
- NSW Ministry of Health.

They discussed these questions in small groups of approximately 10 young people. All sessions were held using the platform Cisco WebEx. The recommendations from these group sessions were then provided to each department to guide their work.

Members of the ACYP team and NGO representatives observed the applicants while they discussed their thoughts and ideas as a group on what they would recommend to the departments.

Following the recruitment event and further analysis by ACYP, the Advocate and Participation Team determined 31 candidates to invite to stage two of the recruitment process. The shortlisted 31 young people were selected based on their performance in the stage one online recruitment events.

The second stage of the recruitment process was a one day face-to-face recruitment event on 6 May 2021 at the State Library of NSW in Sydney. The day included:

- Young people having the opportunity to meet local Members;
- An overview of the Advocate's work and NSW Youth Advisory Council;
- A tour of the State Library;
- A tour of Parliament House with then Minister for Families, Communities and Disability Services, the Hon. Gareth Ward, MP; and
- A mock YAC meeting which included consultation questions from government departments and the State Library.

Following the face-to-face recruitment event and further analysis, the Advocate and Participation Team determined 12 candidates to recommend for appointment.

After careful consideration from the Minister for Families, Communities and Disability Services, the Hon. Alister Henskens, MP, these names were submitted to Cabinet for approval. The new NSW Youth Advisory Council members were publically announced in August 2021.

# Shoalhaven Youth Council Local Government Week Event

On 8 August 2020, in partnership with the Office of the Minister for Local Government, the Office of Local Government and Shoalhaven City Council, the Advocate held an event to celebrate Local Government Week, which was held between 2 August and 8 August 2020.

Local Government Week is an opportunity for local councils to showcase the work they do, with the local community, including the wide variety of services they provide. It was also an opportunity for young people in the Shoalhaven community to get to know their local member and council, which allows them greater access and opportunity to advocate and raise issues that are important to them and their local community.

At this event, eight young people heard from the Minister for Local Government, the Hon. Shelley Hancock, MP, the Mayor of Shoalhaven, Amanda Findley and a representative from the Office of Local Government through a question and answer panel. The young people learnt about how local government works and the important role it plays in community; they also took part in Advocacy training delivered by the Advocate and participated in a mock Council meeting.

At this Council meeting, participants prepared and delivered a short speech about an issue they were passionate about, and collaborated with key decision makers on creating solutions. These speeches were delivered in front of the Minister for Local Government and Mayor, who also received a recording of the speeches post the event to inform their work.

The predominant theme of the speeches focused on the concerns young people had around the environment. This included: the effects of climate change, excess waste, and greenhouse gas emissions from landfills and transport, plastic pollution and logging. Other topics discussed were mental health and suicide, disability awareness, public transport and educational opportunities for young people in rural areas.

### **NSW Children's Week 2020**

Each year, Children's Week is held across Australia to raise awareness of the rights, needs and achievements of children. Children's Week is celebrated with a range of activities, programs and initiatives across the State.

In 2020, Children's Week was celebrated between 24 October and 1 November with the theme being Article 15 of the *United Nations Convention on the Rights of the Child*:

Children have the right to meet together and join groups and organisations as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedom and reputations of others.

Children's Week is coordinated by the NSW Children's Week Council, and for the events and initiatives run by the Advocate, the NSW Youth Advisory Council assists with the concept design and planning.

Children's Week 2020 looked different due to the COVID-19 pandemic. For the Advocate, Children's Week 2020 involved a virtual Children's Parliament and Art Competition, as well as previously mentioned, a special edition of the NSW Through Their Eyes Series.



## Children's Parliament

This reporting period, the Advocate again partnered with the NSW YMCA to host the NSW Children's Parliament. Normally held at NSW Parliament House, Children's Parliament 2020 was held as a virtual forum on 29 October 2020 with 91 children and young people from years 7 to 10 across the State. The event hosted representatives from 87 of the 93 electorates in NSW.

The event commenced with a Welcome to Country from Aunty Ann Weldon and introductions from the Advocate, Julie Hourigan-Ruse, Chair of the NSW Children's Committee and Susannah Le Bron, CEO of the YMCA.

For the forum, each child and young person was asked to prepare a one minute speech on an issue they are passionate about that affects children and young people in their community and across the State.

Some of the topics covered by children and young people included:

- Mental health;
- LGBTQIA+ rights and identity;
- · Vaping;
- Aboriginal and Torres Islander rights and identity;
- Tolerance and inclusion;
- · Digital gaming and social media; and
- Education and career prospects.

Each of these speeches were recorded and provided to both the child and young person, the school or organisation they represented and their local MP.

On the day, children and young people were also given training in the parliamentary process and advocacy from the Advocate. Children and young people were also given the opportunity of hearing from a panel of members from NSW Parliament. Members of Parliament discussed how they came to be in Parliament, the issues they are passionate about, what a normal day looked like in the life of a Member of Parliament and as elected representatives, what they see as their role. Panel members then took questions from the participants. Members of Parliament were also given the opportunity to stay and listen as the children and young people delivered their speeches.

Members of the panel included:

- Ms Abigail Boyd MLC;
- Mr Dugald Saunders MP, Member for Dubbo;
- The Hon Mark Speakman, MP, Member for Cronulla, Attorney General, and Minister for Prevention of Domestic and Sexual Violence;
- Ms Jodie Harrison MP, Member for Charlestown, Shadow Minister for Early Childhood Learning, Shadow Minister for Carers; and
- Mr Greg Piper MP, Member for Lake Macquarie.

# **Art Competition**

For Children's Week 2020, the Advocate ran an art competition, inviting children and young people up to the age of 18 to create an artwork representing what connection means to them. This could be demonstrated through artworks, drawings, paintings, photographs, digital illustrations or videos.

The competition was open from 1
September 2020 until 9 October 2020
with submissions being received through
the Digital Lunchbreak website. The
competition was promoted through the
Advocate's website, stakeholder list and
social media, NSW Schools, through the
NSW Children's Week Committee and NSW
Youth Advisory Council.

The completion received over 300 entries. Entries were divided into three age groups, under 5, 6-11 and 12-18. Each age group had a shortlist of entries that were judged by the NSW Children's Committee and the NSW Youth Advisory Council.



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Three winners were chosen from each age group with each winner given an award and a prize.

**0 to 5 category winners:** First place – Audrey Jingya Zhang;

Second place - Chrisnayeh Michaels; and

Third place – Diva Verma.

**6 to 11 category winners:** First place – Gemma Yan;

Second place - Siwa Haberlah; and

Third place – Charli Gerrey.

**12 to 18 category winners:** First place – Laura Zhang;

Second place – Kiara Di Quattro; and

**Third place** – Ramica Rajkumar.

# Promotion for NSW Children's Week

Children's Week is an incredible opportunity to celebrate the resilience and achievement of children across the State. For this reason, the Advocate dedicates a significant amount of time and resources in promoting the week and its activities and initiatives to ensure that as many people as possible can share in the celebration.

Within this reporting period, the Advocate promoted Children's Week through:

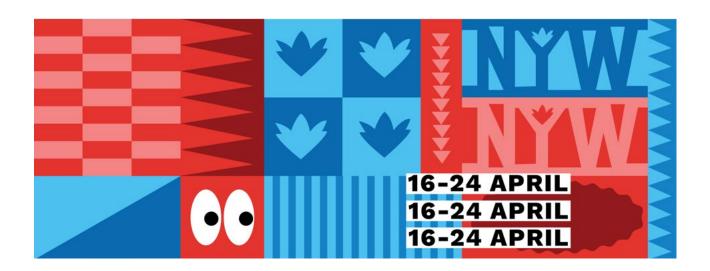


creation and distribution of promotional digital assets including videos, posters, website banners, social tiles and posts;

publishing of regular direct emails to stakeholders, schools and children and young people; and

inclusion of information across stakeholder websites and newsletters.

### **NSW Youth Week 2021**



In a similar manner to Children's Week, Youth Week represents an opportunity for young people aged 12-24 to come together to celebrate and participate in activities and events in their local area. The theme for Youth Week 2021 was 'Together more than ever'. Youth Week 2021 was held from 16 April to 24 April 2021.

Due to COVID-19 public health orders, ACYP's annual NSW Youth Week Forum did not take place along with many other Council run events. The online recruitment events for the NSW Youth Advisory Council took place during NSW Youth Week. Children and young people could still get involved in Youth Week through online events and activities that were listed on the NSW Youth Week website and Digital Lunchbreak website.

In order to encourage children and young people to celebrate NSW Youth Week, ACYP continued their ongoing involvement in:

- maintaining and updating the NSW Youth Week website which was developed by ACYP;
- NSW Youth Week branding and digital assets which were provided to NSW Councils; and
- online digital campaigns which were shared across social media channels.

## **Youth Week Awards**

In 2021, the Advocate supported the Youth Week Awards at the Local Government NSW Awards Ceremony. The NSW Youth Advisory Council participated in judging the awards.

### Categories for the awards include:

- Best Local Youth Week Program in 2021;
- Most Innovative Youth Week Program in 2021;
- Best Small Council with the Most Outstanding Youth Week Program in 2021; and
- Best On-going Commitment to Local Youth Week Programs.

Finalists for each of the categories were decided by the Department of Communities and Justice and judging was conducted by the NSW Youth Advisory Council.

## **Practical Life Skills Videos**

ACYP has created 'Practical Lifeskills', a project designed to provide young people with the knowledge needed to live independently in an informed and healthy way.

Four topics were chosen, a script was written for each topic and to date, one video has been filmed. The rest of the filming was scheduled, however, it was delayed due to the Public Health Orders in response to the COVID-19 situation. The topics are based on consultation and polling findings, with young people reporting that they need more information on four key areas. These include, health and wellbeing, financial management, career literacy and the running of a house. Additionally, a landing page with further content and resources has been developed to support the videos when they become available.

First voiced in the Strategic Plan for Children and Young People 2016 - 2019, 'children and young people want the opportunity to learn important life skills to prepare them for adulthood.' Young people reportedly find themselves progressing through secondary school, unequipped to tackle life's bigger shifts. Further polling and consultations with Aboriginal and Torres Strait Islander, socially excluded and homeless children and young people, highlighted this gap in education. A need to introduce skills-based learning was highlighted - practical, real life advice. How to manage one's health, finances, employment and households, came in at the top of the feedback.

ACYP developed 'Practical Lifeskills' in response to this feedback - blending these findings with the chosen mode for delivery. Visual content, such as videos, were reported by young people as being the most useful method of receiving

educational information. Our goal - to provide young people with support in their transition into adulthood. Collaboration with a range of experts in each topic meant that the content was well informed and tailored towards a young audience. We have also taken a lot of this research and developed it into the 'Landing Page.' This is a practical resource for the Practical Lifeskills videos. Children and young people will be able to find additional information and guidance on each topic. The resources that are mentioned in the respective video can also be found here.

Throughout this project, children and young people have been actively involved. The topics chosen for the first suite of videos were the areas most raised in the Advocate's research. The scripts for the videos were written by a young person who was studying script writing, in conjunction with the Australian Theatre for Young People (ATYP) who are also providing the actors for the

videos.

The videos were also reviewed by children and young people at a number of points during development. This included members of the Youth Advisory Council and young people in Youth Justice. Young people were able to give their feedback about the content of those videos and if there was anything the Advocate could do to improve them to make them useful to young people in NSW. Young people provided advice on how to make the videos more accessible, improve the content and make the language more 'young people friendly and realistic to real life situations'. This feedback was shared with the creative team and the scripts were amended accordingly.



### Four You Alliance

Resulting from both ACYP's consultations and anecdotal experience of leading mental health providers, the urgent need for greater peer to peer mental health supports for children and young people has been frequently identified. Most recently, this need has been identified in the polling that ACYP has conducted periodically to measure sentiments around COVID-19. Mental health has been a major issue for many young people throughout the pandemic. Consequently, the Advocate has partnered with a number of leading mental health providers to form the *Four You Alliance*.

Combining the expertise and resources of Batyr, Youth Insearch, The Reach Foundation and Project Rockit, this Alliance will focus on both the immediate needs and longer term needs of children and young people's mental health. The intention is to work collaboratively, to build a common resource that promotes the skills of each organisations, united in providing supports and services to all children and young people across NSW.

The work of these organisations supports children and young people aged 10-24. The programs are youth led and designed, supported by highly qualified organisations and evaluated by demonstrated and proven outcomes.

These organisations operate on the continuum of supports, offering programs in the immediate short term but also focus on longer support that children and young people may need. Each organisation offers

a variety of resources and programs for the different ways mental health concerns may be trigged and their differing manifestations. This includes; online bullying, leadership and mentoring, peer to peer support and resources for accessing supports to help the broader community.

Within this reporting period, the Alliance came together to develop a business case for the Bushfire Local Economic Recovery Grant Scheme focused on supporting young people who have been affected by compounding disasters. Each organisation seeks to shift the narrative of the conversation around mental health, so that families, children and young people feel equipped and empowered to reach out for support by de-stigmatising the language and increasing health literacy.

At the conclusion of the reporting period, the Alliance had received no response on the status of their submission.

# Development of the NSW Strategic Plan for Children and Young People 2022-2024

With the conclusion of the inaugural *NSW Strategic Plan for Children and Young People* in 2019 and the tabling of the Review to Parliament in 2021, the Advocate is currently in the process of developing the next Strategic Plan for Children and Young People.

For the first iteration of the plan, the former Advocate consulted with 4,000 children and young people. Since that time ACYP has spoken to 12,000 children and young people face-to-face, and 24,000 young people through online polling about what is important to them. This is being overlaid with our recent Youth Week polling data to determine the priority areas for action.

The Advocate will use this data to develop a framework for the next Strategic Plan.

The next step will be to test this framework with children and young people to ensure it accurately reflects what is important to them. The Advocate will then continue to work with government, non-government organisation and the business sector to explore how they may work together to progress the Plan.

It is the Advocate's intention to have the Plan go through Cabinet in the second half of 2021 with a public release to take place in early 2022.

# Governance and Administration

# Enhance Government & Non-Government Training when Engaging with Children and Young People

Over recent years, the ACYP has developed a suite of training courses designed for government and non-government organisations that work with and for children and young people. This training includes advocacy training, participation training, media training and child rights training.

Within the reporting period, the Advocate conducted the following training:

### **Child Rights Training**

ACYP staff delivered two face-to-face Child Rights training workshops for Youth Justice NSW staff. The first was on 8 December 2020 at Cobham Youth Justice Centre with 13 centre staff. The second was on 2 May 2021 at YASMAR Youth Justice Training Facility with six staff as part of their induction.

Through their partnership with Youth Justice NSW, the Advocate has developed an e-learning module on child rights which is specific to the needs and context of those working within the Youth Justice space. The Advocate developed the content for this training in partnership with Youth Justice and is working with Youth Justice to incorporate it into their e-learning system so that the training now forms a mandatory part of the induction process for new staff.

The module teaches staff how to:

- Understand the difference between needs and rights, and the relationship between rights-holders and duty-bearers;
- Understand what child rights are and develop some familiarity with the United Nations Convention on the Rights of the Child (UNCRC);
- Understand what is meant by a 'child rights-based approach' over and above knowledge of specific child rights;
- Use child rights-based approach to plan interventions, activities, policies and programmes for working with children in Youth Justice; and
- See situations with a child rights lens and approach which can improve engagement, participation and wellbeing, as well as promote a safe and respectful environment.

### **Facilitation Training**

On 9 July 2020, the Advocate conducted facilitation training with nine members of the Camden Youth Council. This training runs through the different facilitation methodologies the Advocate uses in their work. It equips participants with the skills to conduct a meaningful and respectful consultation. It covers the ethical matters that need to be considered around consent and gives some case studies and examples of how to use the information gathered in the consultation effectively.

### **Advocacy Training**

On 3 September 2020, the Advocate conducted advocacy training with 10 members of the Tamworth Youth Council. This training contains tips on how to improve participants' advocacy skills, including what is advocacy and the advocacy process; how to identify your audience; and how to craft your message so that it emphasises your important points succinctly.



# **Committee and Advisory Boards**

The Advocate or an ACYP delegate holds membership and/or provides advice to a number of government and non-government committees and advisory boards, some of which are listed below:

- · Aboriginal Outcomes Taskforce;
- Australian New Zealand Children's Commissioners and Guardians (ANZCCG);
- Child Death Review Team (CDRT);
- Children and Young People Injury Prevention Working Group (CYPIP);
- Commonwealth Bank Australia Customer Advocacy Panel;
- Department Education Bushfire Relief Strategy Directorate State Wide Meeting;
- Four You Peer to Peer Alliance Meeting;
- Joint Protocol Statewide Steering Committee;
- Law Society of New South Wales
   Children's Legal Issues Committee;
- Minister for Families, Communities and Disability Services monthly meeting with sector leaders and peaks;
- NSW Child and Youth Mental Health Advisory Group;
- NSW Children's Week Committee;
- Property Industry Foundation NSW Beneficiary Review Committee (BRC) Meeting;
- · Regional Youth Steering Committee;

- Revenue NSW Fairer Fines Program Steering Committee;
- Revenue NSW Hardship Support Program Steering Committee;
- Sector Roundtable on Families and Communities;
- Social Sector Transformation Fund Team Steering Committee (SSTF);
- South Western Sydney Child and Family Leadership Group;
- UNICEF Child Rights Taskforce;
- Voice2Action Steering Committee;
- Wellbeing and Health In-Reach Nurse
   Operation Rollout Working group;
- Women's Strategy Economic Opportunity and Advancement, Participation and Empowerment Working Group;
- · Youth Justice Advisory Committee;
- Youth Justice NSW Short Term Remand Project Steering Committee;
- Youth Mental Health Interagency Meeting; and
- Youth Week 2021 Reference Group.

# Making Recommendations on Legislation, Reports, Policies, Practices, Procedures & Services Affecting Children and Young People

Combining their qualitative and quantitative consultations with desktop analysis and grey literature, the Advocate prepares papers, reports and submissions relating to the experiences of children and young people in NSW. This works brings the voice of children and young people directly to decision makers combined with specific recommendations from both children and young people and ACYP.

Predominately, the Advocate makes these reports and submission through two mechanisms. The first being the NSW Cabinet process, the second through invitations to prepare and appear before NSW Parliamentary Inquiries. Where appropriate, these submissions and appearances are done in conjunction with other key stakeholders such as the Children's Guardian.

Within the reporting period, the Advocate prepared a response to approximately 75 Cabinet submission across all NSW Agency Clusters.

### During the reporting period, the Advocate prepared submissions for following inquiries:



NSW Select Committee on the High Level of First Nations People in Custody and Oversight and Review of Deaths in Custody;

- The Advocate appeared before this inquiry on 3 December 2020.



NSW Portfolio Committee No. 3 – Education, Education Legislation Amendment (Parental Rights) Bill 2020;

- As this was a joint submission, the Advocate and the NSW Children's Guardian, Ms Janet Schorer, PSM appeared before the Committee together on 21 April 2021.



NSW Committee on Children and Young People, Child Protection and Social Services System; and



NSW Joint Standing Committee on Road Safety, Support for Rural and Regional Learner Drivers.

On 14 May 2021, the Advocate also appeared before the NSW Committee on Children and Young People in regards to their submission into *Support for Children of Imprisoned Parents in New South Wales* from the 2019-2020 reporting period.

## **Parliamentary Oversight**

### Parliamentary Joint Committee on Children and Young People

The Advocate for Children and Young People is an independent statutory office reporting to the NSW Parliament through the Joint Committee on Children and Young People. According to Part 7, Section 37 of their enabling legislation, the functions of the Parliamentary Committee as are follows:

- (a) to monitor and review the exercise by the Advocate of the Advocate's functions,
- (b) to monitor and review the exercise by the Children's Guardian of functions under the the Child Protection (Working with Children) Act 2012.
- (c) to report to both Houses of Parliament, with such comments as it thinks fit, on any matter relating to the Advocate or connected with the exercise of the Advocate's functions, or on any matter relating to the exercise of the Children's Guardian's functions specified in paragraph (b), to which, in the opinion of the Joint Committee, the attention of Parliament should be directed,
- (d) to examine each annual or other report of the Advocate and report to both Houses of Parliament on any matter appearing in, or arising out of, any such report,
- (e) to examine trends and changes in services and issues affecting children and young people, and report to both Houses of Parliament any changes that the Joint Committee thinks desirable to the functions and procedures of the Advocate,
- (f) to inquire into any question in connection with the Advocate's functions which is referred to it by both Houses of Parliament, and report to both Houses on that question.

### The Parliamentary Joint Committee is to consist of 7 members, of whom:

- 3 are to be members of, and appointed by, the Legislative Council; and
- 4 are to be members of, and appointed by, the Legislative Assembly.

### As of the 30 June 2021 membership of the Committee consisted of:

#### Chairperson:

- The Hon. Peter Poulos, MLC (Lib, LC Member); and
- The Hon. Matthew Mason Cox, MLC, (Lib LC Member) until 13 May 2021.

### **Deputy Chairperson:**

• Mr Peter Sidgreaves, MP (Lib, LA Member).

#### Members:

- The Hon. Greg Donnelly, MLC (ALP, LC Member);
- Ms Jodie Harrison, MP (LA, LC Member);
- Ms Robyn Preston, MP (Lib, LA Member);
- Mr Dugald Saunders, MP (Nat, LA Member);
- Mr David Shoebridge, MLC (GRNS, LC Member); and
- Ms Abigail Boyd, MLC (GRNS, LC Member) until 23 September 2020.

# 2021 Review of the Annual Reports and Other Matters of the Office of the Advocate for Children and Young People

It is a function of the Oversight Committee to monitor and review the activities and functions of the Advocate, including an examination of their annual report. In exercising this function, the Advocate appeared before the Parliamentary Committee on 7 May 2021. Also appearing before the Committee was Ms Una O'Neill, Director, NSW Office of the Advocate for Children and Young People, Ms Emily Backhouse, 2019 Chairperson, NSW Youth Advisory Council, Ms Julie Charlton, 2020 Chairperson, NSW Youth Advisory Council, Mr Marvin Smith, 2020 Member, NSW Youth Advisory Council.

At this hearing, the Committee examined a variety of the Advocate's functions and work. This included but was not limited to:

- The experiences of those on the Youth Advisory Council and whether they felt the Council was operating as intended;
- Children and young people's access to digital technology;
- Children and young people's mental health, including the effects of bullying and cyberbullying, social media and their access to a variety of support services; and
- · Children and young people experiencing gender dysphoria.

At the close of the reporting period, the Committee was preparing their findings and recommendations as to whether the Advocate and Youth Advisory Council was fulfilling its function and meeting its obligations and principles as outlined in their Act.

# **Engaging with Stakeholders**

The Advocate regularly holds and attends meetings to establish and deepen working relationships with the many government, non-government and civil society organisations who help protect and promote the rights and interests of children and young people. The Advocate also works closely with organisations and collaborates on projects, events and initiatives.

Within the reporting period, the Advocate attended or held over 460 meetings, forums, seminars and related events.

# **Young Thinking Seminar Series**

Originally inaugurated as part of the monitoring, evaluation and learning process of the *NSW Strategic Plan for Children and Young People 2016-2019*, within this reporting period the Advocate reintroduced the Young Thinking Seminar Series.

In conjunction with the University of New South Wales (UNSW) Children and Youth Research Network, the Advocate hosted two seminars.

The first seminar took place on 28 July 2020, focusing on the challenging issues in education for children and young people with disabilities.

The seminar brought together speakers from academia, government and non-government organisations with experience in inclusive education practices and best outcomes for children and young people living with disability. This webinar was facilitated by members of the Youth Advisory Council.

### Speakers included:

- The Hon. Gareth Ward MP, then Minister for Families, Communities and Disability Services;
- Professor Iva Strnadová, UNSW, School of Education;
- Mr Rhys Morris, ACYP, together with Ms Julie Charlton, 2020 NSW Youth Advisory Council Chairperson;
- Ms Cecile Sullivan Elder, Executive Officer, Family Advocacy; and
- Dr Joanne Danker, UNSW, School of Education.

This webinar was recorded and published on the Advocate's website.

The second seminar took place on 19 November 2020, focusing on systematising children's voice.

Once again, this seminar brought together speakers from academia, government and non-government organisations who discussed how incorporating children's voice in their work had shaped their programs, services, policies and initiatives. While stressing the importance of meaningful participation, the speakers also discussed some of the challenges and considerations that must be considered when embedding children's voice in an organisations work. This webinar was facilitated by members of the Youth Advisory Council.

#### Speakers included:

- Ms Rosie Thomas OAM, Co-Founder, CEO Project Rockit;
- Ms Kristine Wendtman NSW Rural Fire Service;
- Mr Lachlan Page, volunteer member of the NSW Rural Fire Service and youth representative on the NSW RFS Young Members Group;
- Ms Amanda Bull, Assistant Manager, Youth Justice NSW; and
- Ms Laurel Mimmo, Sydney Children's Hospital, Randwick and PhD candidate, School of Population Health, University of New South Wales.

This session was recorded.



# Principal's Afternoon Tea

On 27 May 2021, the Advocate hosted 32 schools to an afternoon tea event to learn about the Advocate's work and to strengthen existing networks and to develop new opportunities.

The event brought together Principals and School Representatives from schools across metropolitan Sydney.

During the event, attendees heard from the Hon. Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, Alex Greenwich, MP and the Advocate about the importance of education, the role of educators in children and young people's lives and their vision for the future of education. Attendees were also provided with a brief overview of the early workings of the *Strategic Plan for Children and Young People 2022-2024*, and they were encouraged to get involved with the Advocate's future consultation around this and broader work.

In the future, the Advocate intends to convene similar opportunities in both metropolitan, regional and rural NSW to create opportunities and networks both for schools and their Office.



# Conduct Special Inquiries under Part 5 of the Act into Issues Affecting Children and Young People

Part 5 of the Act empowers the Advocate to establish a special inquiry into a specific matter affecting children or young people, after having received approval from their Ministers or on the Minister's own initiative. During the reporting period, neither the Advocate nor their Ministers requested any special inquiry be undertaken.

# Request for Information under Section 13 AA of the *Ombudsman's*Act 1974

No requests for information under Section 13AA of the *Ombudsmans Act* 1974 were received during the reporting period.

# Responses of Authorities to Recommendations Made by the Advocate

No independent recommendations were made during the reporting period outside of the government's usual consultation process, the public release of ACYP's consultation reports and recommendations and the tabling of the Annual Report.

# Advocate's Recommendations for Changes in the Laws of the State, or for Administrative Action

No independent recommendations were made in the reporting period outside of the Advocate's usual government consultation processes.

# Government Information (Public Access) Act 2009 Requests

No requests under the *Government Information (Public Access) Act 2009* were received by the Advocate during the reporting period.

# Internships and Work Experience Programs

The Advocate was unable to host any students for work experience during the reporting period due to the COVID-19 restrictions.

ACYP hosted two students for an internship during the reporting period.

One student was assigned to the Policy Team for a six month period between June and November 2020. During this internship, they were able to learn how policy goes from development to implementation and further their research and analysis skills as they completed their Law/Social and Political Science Degree. This position was remunerated in accordance with ACYP's Internship Policy.

One student was assigned to the Participation Team for a four month period between February and June 2021. During this internship, they were able to develop and learn new skills to further practical and professional development in becoming a qualified social worker.

Conduct, Promote and Monitor Research into Issues Affecting Children and Young People

# **Attitudinal Surveys**

To complement their qualitative research, ACYP regularly commissions quantitative surveys to gain a greater understanding of issues affecting a representative sample of children and young people across NSW.

The topics surveyed and questions asked are often drafted from what ACYP has heard in their face-to-face consultations. Additionally, a number of survey questions are offered to other Government Departments to better inform their work. Where appropriate, these results and ACYP's broader survey results are shared with the relevant government stakeholders to inform their projects. ACYP also works to transfer some of these surveys results to a format that can be published and shared with children and young people.

### Some of the topics covered in quantitative research in this reporting period include:

- COVID-19;
- · Careers;
- · Information sources;
- · Mental health support services;
- · Online privacy;
- Sexual consent education;
- · Minimum age of criminal responsibility;
- · Life in NSW; and
- Issues for children and young people in NSW.

# Children and Young People Sentiment Tracking During COVID-19

Following on from the sentiment polling in the previous reporting period. The Advocate continued these polls as COVID-19 continued to impact the lives of children and young people.

These findings have been integral into designing how we as an organisation and broader government respond to the needs of children and young people.

Questions in these polls covered topics such as: general sentiment in NSW, level of concern around COVID-19, personal behaviour and effects of COVID-19 restrictions and comprehension of public health information.

In the previous reporting period, the Advocate conducted five waves of sentiment tracking between April and June 2020. These findings are reported in the previous annual report. During this reporting period, the Advocate undertook two additional waves of sentiment tracking.

The first wave of polling for this reporting period took place from 21 to 28 of August 2020. This was the sixth wave of tracking since the pandemic started, with a sample of size of 506 young people. These findings were weighted against Australian Bureau of Statistic data for age, gender and place of residence.

In the interim since Wave 5, Victoria went into Stage 4 lockdown and experienced a rapid increase in cases and deaths, higher than the initial wave. While NSW was not under lockdown, borders with QLD and

VIC were closed, and the infection rate had increased across Sydney with various hot spots identified. People were encouraged to wear masks, particularly in shopping centres, though these were not mandatory. Other restrictions (such as on gatherings, weddings, restaurants) had become more nuanced but had not significantly changed. Schools continued to teach face-to-face, while most universities had adopted a hybrid approach with in person learning for practical subjects and lectures and tutorials online.

### Some of the key findings included:

- Since the study was last conducted in late June 2020, concern about the virus had increased significantly, and positivity about life in NSW had decreased. Young people most often noted being tired, stressed and anxious, and while boredom and loneliness had decreased, these other negative emotions rose;
- Almost one third of young people felt NSW has not been taking the issue of coronavirus seriously enough;
- Most young people (66%) felt a second wave of the pandemic was likely in NSW, and supported restrictions to minimize its impact;

- Support for Government's COVID-19
   response to health, the economy and
   restrictions had decreased, with around
   half of young people agreeing with the
   Government's approach compared to
   two thirds support at the peak of the first
   wave;
- Most young people reported regular compliance with restrictions and health advice; and
- Mental health has continued to be a major issue for many young people throughout the pandemic.

The second wave of COVID polling, in this reporting period, took place between 26 November - 8 December 2020, with 506 young people. The data was weighted against ABS statistics.

Since the previous wave of polling, Victoria completed its lockdown and was no longer recording cases of community transmission. They were still encouraged to wear masks but these weren't mandatory in NSW. South Australia went into a six-day hard lockdown, but this ended after three days when it was revealed that a COVID-positive worker at an Adelaide pizza shop had lied to contact tracers. Borders between states opened during the fieldwork period and the UK and US prepared to roll out a vaccine. Notably, the fieldwork covered a period where university students had begun summer breaks and HSC exams had ended.

### Some of the key findings included:

- Since this study was last conducted in August, concern about the virus had decreased significantly coinciding with lower levels of community transmission and increasingly relaxed restrictions and borders;
- Concern about coronavirus was at its lowest level since April and most young people remain convinced that NSW has responded to coronavirus appropriately. Overall concern had decreased, through worries about a second wave of the virus were still prevalent for more than half of participants;
- While positivity about life in NSW had increased and positive emotions had also increased, the prevalence of fatigue and anxiety remained;

- Support for Government's COVID-19
   response had returned to peak levels
   including 57% agreeing that Government
   was taking appropriate action to support
   young people;
- While anticipation for the summer holiday period was high, many stated that the virus had impacted their plans, and most intended to limit the activities they normally do or at least modify their behaviour;
- Young people were eager to see the end of 2020 and viewed 2021 as an opportunity for a fresh start. They hoped to travel, spend time with friends and family, begin or complete their studies and celebrate all the events they missed during 2020; and
- It was clear from the results that mental health continued to be an issue.

## Youth Week QR Code Survey

Throughout Youth Week 2021, the Advocate was eager to hear from the young people of NSW to learn about their daily experiences and any opportunities they saw for improvement.

To gather this feedback, the Advocate created a short five minute survey for those aged 15-24 which was accessed through a QR code provided to schools and local councils. The survey was open from the 22 March 2021 to 26 April 2021, with a total of 589 young people responding.

Topics covered in this poll included; general sentiment about life in NSW, important issues affecting young people in NSW, and how young people have felt emotionally over the last week.

### Some of the key findings included:

- 61% of respondents rated their feelings about life In NSW as seven or higher on a scale out of 10;
- The most important issues affecting young people in NSW were; school stress and anxiety (86%), mental health supports (67%) and bullying, including cyberbullying (54%); and
- Over three quarters (78%) of respondents noted they had been feeling tired over the previous week, followed by stressed (64%) and happy (59%).

Findings from this survey were included along with a range of other research to inform the development of NSW Strategic Plan for Children and Young People 2022-2024.

### Youth Week 2021 Poll

Separately to the Youth Week QR code survey, in the lead up to Youth Week 2021, the Advocate engaged Newgate Research to conduct a study to provide insight into a range of issues and key areas of interest that affect children and young people in NSW.

### Specific areas of interest included:

- Information sources used, communications needs, and preferred communication channels;
- Career outlook and interest in pursuing career paths and study options;
- Awareness of mental health services;
- · Online privacy behaviours; and
- Experiences with learning about sexual consent in school.

The Poll was in field between 25 March 2021 to 10 April 2021, with a total of 972 young people aged 12-24 responding. As is standard practice, weighting was applied to the sample to match population, age and gender statistics from the ABS.

#### Some of the key findings from the poll were:

- While traditional media still plays a role as source of general news, young people predominantly use online sources

   including a range of social media
   platforms – for most of their information needs;
- Young people exhibit cautious optimism about their career outlook. Most have a sense of the career direction they would like to pursue and feel confident in their own potential;
- Young people are highly aware of the various support services available to those experiencing mental health conditions;

- Parents and friends are seen as a vital source of help along with counsellors and other healthcare professionals;
- Young people are very cognisant of online privacy issues and are mostly confident in their ability to stay safe online. More than three quarters of the young people surveyed expressed at least mild concern about their online privacy; and
- Most young people aged 16-24 years
  reported having learnt at least a little
  about sexual consent while at high school.
  However, only around half of them
  thought that the information they had
  received was sufficient.

Results from this polling was shared with the relevant Government agencies and has been used to inform the Advocate's recent publications and submissions.

Promote the Provision of Information and Advice to Assist Children and Young People

### **Health Information Videos**

Following on from their collaboration with NSW Health during the previous reporting period, the Advocate continued to produce factual information about COVID-19 for children and young people.

In a series of videos, questions are answered and helpful advice is provided so that children and young people can learn more about the evolving COVID-19 situation, the ways they can keep safe and how to best protect themselves and those around them. ACYP worked with NSW Health to create specific videos to further assist children and young people with navigating public health orders. The interview questions were sourced directly from children and young people.

Within this reporting period, the Advocate produced four videos hosted by Grace Rowe and Mi-kaisha Masella with Dr Kerry Chant PSM, NSW Chief Health Officer. Topics discussed in these videos included:

- Continued changes to the Public Health Orders and their impact on children and young people;
- How to socialise and stay connected in a COVID safe way;

- The importance of social distancing, hand hygiene and mask wearing;
- How to protect family members, friends and the community;
- COVID-19 symptoms and when to get tested;
   and
- COVID-19 vaccines.

Since the series began in 2019, across the Advocate's social media platforms the 9 videos have been viewed a combined total of over 21,000 times.

As the COVID-19 situation progresses, the Advocate continues to work with NSW Health around ensuring that messages around COVID-19 is produced and distributed in a manner accessible to children and young people.



### **Sexual Consent Media Release**

In response to the broader conversation taking place around sexual consent, as mentioned above, the Advocate included a number of questions around this topic in their Youth Week 2021 poll.

The polling surveyed 500 young people in NSW aged 16-24. The polling detailed their views on sexual consent education in NSW.

#### Young people were asked:

- How much did you learn about sexual consent during high school? That is, to what extent did you learn about how to communicate willingness to participate in sexual or intimate activity and how to understand whether the person you are with is willing to participate?
- Do you feel the information you learnt at school was sufficient?
- At what grade do you feel schools should begin to teach students about sexual consent?

The results highlighted that young people wanted access to more holistic sexual consent education for real world situations.



# Some of the findings of the Advocate's polling found that:

#### Among young women:

- 22% said they didn't learn anything about sexual consent during high school; and
- 41% said they only learnt a little about sexual consent during high school.

### · Among young men:

- 10% said they didn't learn anything about sexual consent during high school; and
- 35% said they only learnt a little about sexual consent during high school.
- Just 15% of young people said they had learnt a lot about sexual consent in high school.
- The issue was more acute in regional areas with only 8% stating they had learnt a lot.
- Almost 2 in 3 young women who said they had learnt something about sexual consent at high school thought their education about the topic was insufficient (52%) or they were unsure whether it was sufficient (14%).
- Around half of young men who said they had learnt something about sexual consent at high school thought their education about the topic was insufficient (34%) or they were unsure whether it was sufficient (15%).

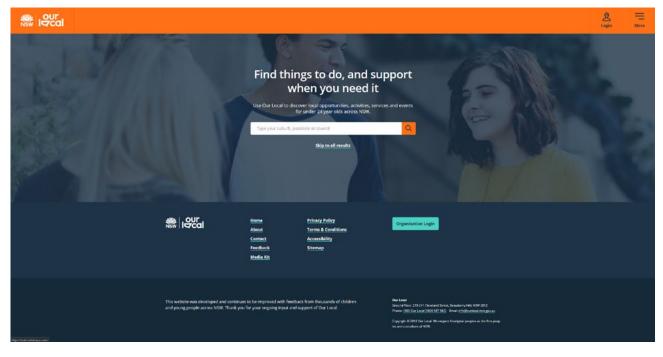
- Young people with a disability were more likely to feel their education about sexual consent was insufficient (52%).
- Most young people felt the topic of sexual consent should be taught by year 8 (72%).
- Current high school students who participated in the survey were more likely to have received education on sexual consent than those who have already left high school.

The Advocate acknowledges that there is currently a significant body of work being done across Government to take positive steps both in schools and broader community to improve sexual consent education. The Advocate remains committed to supporting this work and ensuring that children and young people are provided with the holistic information and resources they deserve.

### **Our Local**

Across the Advocate's consultations, children and young people expressed the need to have an easy way to access local and state-wide services and activities. Our Local was a website designed for and by children and young people which listed services, activities and opportunities both in their local community and state-wide.

During the reporting period, Our Local was placed in hibernation due to resourcing constraints within the Advocate's Office. The Advocate continues to be in conversations with the Government about how to embed Our Local into their existing platforms.



### **ACYP Website**

The Advocate's website is regularly updated to inform children, young people, and government and non-government stakeholders about their projects, campaigns and initiatives. This information is available on the website through videos, flip books and downloadable resources.

People can access and learn more about the Advocate's work including face-to-face consultations, detailed findings and the data collected. Information is also available for children and young people so that they can engage and get involved in different initiatives.

### Key pieces of work were uploaded to the website during the reporting year included:

- The Experiences of Children and Young People in Disaster consultation report;
- The Voices of Children and Young People with Disability consultation report;
- · Sexual Consent Polling Media Release;
- · COVID-19 Video Series;
- NSW Through Their Eyes Video Series;
- Review of the NSW Strategic Plan for Children and Young People 2016-2019;
- Guide to Establishing Children and Young People's Advisory Group;
- · Young Thinking Seminar Series; and
- · Youth Advisory Council Recruitment Applications.



# Office Structure and Administration

# Statutory Review of the Advocate for Children and Young People Act 2014

### According to Part 8 Section 43 of the Act:

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after 5 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 5 years.
- (4) When carrying out the review, the Minister is required:
  - (a) to consult with government and non-government agencies that provide or deal with services or issues affecting children and young people, and
  - (b) to consult, as far as practicable, with children and young people, and
  - (c) to invite and consider public submissions relating to the review of this Act.

The Statutory Review was conducted by the Department of Communities Justice on behalf of the Minister for Families, Communities and Disability Services and Minister for Mental Health, Regional Youth and Women.

The Review was undertaken between November 2020 and March 2021. The Department prepared a discussion paper and received submissions, conducted surveys and carried out consultations.

The Advocate and the Youth Advisory Council were given the opportunity to feed into this Review. As they were the subject of the Review, outside of being directly asked by the Department to contribute, the Advocate remained independent to the Review. The Advocate was given the opportunity to comment on the draft report produced by the Department at the end of the Review.

It is the Advocate's understanding that the Review is currently with the respective Ministers for consideration prior to tabling in Parliament and any subsequent amendments to their Act.

# **Staffing**

As at 30 June 2021, there were 14 full time staff and 4 part-time staff, employed against a staff establishment of 23 positions.

## **Budget**

The expenditure of the Office of the Advocate for Young People and Children (ACYP) are incorporated into the annual reports for the Department of Communities and Justice (DCJ).

In the 2020-2021 reporting period the annual operating budget of ACYP was \$3.1m which included both ERE and OPEX expenditure.

# **Principal Officers**

- Ms Zoë Robinson, B Media, LLB, MHR GAICD, A/Advocate for Children and Young People 1 July 2020 to 18 December 2020, Advocate for Children and Young People 21 December 2020 onwards;
- Mr Michael Shaw, B Comms, PGCertSS, PGCertPP, Director 1 July 2020 to 9 October 2020; and
- Ms Una O'Neill, B.A (Hons) Marketing, MA PR, A/Director 12 October 2020 onwards.



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